



"The City With a Heart"

Perry Petersen, *Chair*  
Joe Sammut, *Vice-Chair*  
Sujendra Mishra  
Rick Biasotti  
Bob Marshall, Jr  
Mary Lou Johnson  
Kevin Chase

## **AGENDA**

### **PLANNING COMMISSION MEETING**

**December 6, 2011**

**7:00 p.m.**

**Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno**

Planning Commission meetings are conducted in accordance with Roberts Rules of Order Newly Revised. You may address any agenda item by approaching the microphone until recognized by the Planning Commission Chair. All regular Planning Commission meetings are recorded and televised on CATV Channel 1 and replayed the following Thursday, at 2:00 pm. You may listen to recordings in the Community Development Department. Complete packets are available online at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov) and at the library. In compliance with the Americans with Disabilities Act, individuals requiring reasonable accommodation for this meeting should notify us 48 hours prior to meeting. Notices, agendas, and records for or otherwise distributed to the public at a meeting of the Planning Commission will be made available in appropriate alternative formats upon request by any person with a disability. Please make all requests to accommodate your disability to the Community Development Department 650-616-7074.

#### **ROLL CALL**

#### **PLEDGE OF ALLEGIANCE**

#### **1. APPROVAL OF MINUTES: September 20, 2011**

#### **2. COMMUNICATIONS**

#### **3. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:** Individuals allowed three minutes, groups in attendance, five minutes. It is the Commission's policy to refer matters raised in this forum to staff for investigation and/or action where appropriate. The Brown Act prohibits the Commission from discussing or acting upon any matter not agendaized pursuant to State Law.

#### **4. ANNOUNCEMENT OF CONFLICT OF INTEREST**

#### **5. PUBLIC HEARINGS** Note: If you challenge the below actions in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

##### **A. 588 San Mateo Avenue (APN: 020-142-200)**

Zoning: C-B-D

Environmental Determination: Categorical Exemption

Request for a Use Permit and Parking Exception to allow a dance studio within the C-B-D

Central Business Zoning District per Chapters 12.96.120.C.7 and 12.100.120, of the San

Bruno Zoning Ordinance. Yenis Cotua (Applicant), Artur & Hilda Basmajian (Property Owner)

**UP-11-013 & PE-11-001**

## **6. DISCUSSION**

### **A. CITY STAFF DISCUSSION**

- **Presentation from City Attorney on Brown Act and Conflicts of Interest**
- **Select the January 12, 2012 Architectural Review Committee members**
- **Update on Development Activity**

### **B. PLANNING COMMISSION DISCUSSION**

## **7. ADJOURNMENT**

The next regular Planning Commission Meeting will be held on January 17, 2012 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.



## **"The City With a Heart"**

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Perry Petersen, *Chair*  
Joe Sammut, *Vice Chair*  
Rick Biasotti  
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Bob Marshall, Jr,

### **MINUTES PLANNING COMMISSION MEETING**

**September 20, 2011**

**7:00 p.m.**

**Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno**

**CALL TO ORDER at 7:01 pm.**

#### **ROLL CALL**

	<b><u>Present</u></b>	<b><u>Absent</u></b>
<b>Chair Petersen</b>	<b>X</b>	
<b>Vice Chair Sammut</b>	<b>X</b>	
<b>Commissioner Biasotti</b>	<b>X</b>	
<b>Commissioner Marshall</b>	<b>X</b>	<b>Arrived at 7:11</b>
<b>Commissioner Mishra</b>	<b>X</b>	
<b>Commissioner Chase</b>	<b>X</b>	
<b>Commissioner Johnson</b>	<b>X</b>	

#### **STAFF PRESENT:**

Planning Division: Community Development Director: Aaron Aknin  
Acting Planning Manager: Lisa Costa Sanders  
Associate Planner: Laura Russell  
Assistant Planner: Matt Neuebaumer  
Contract Associate Planner: Tony Rozzi  
Recording Secretary: Shauna Williams  
City Attorney: Marc Zafferano

Pledge of Allegiance: Commissioner Chase

#### **1. Approval of Minutes – August 16, 2011**

Commissioner Sammut expressed concern on the language for the approval of the August 16, 2011 approval of minutes.

Chair Petersen recommended that the language read, "All Commissioners Present during Motion."

**Motion to Approve Minutes of August 16, 2011 Planning Commission meeting.**

**Chase/ Mishra**

VOTE: 7-0  
AYES: All Commissioners Present.  
NOES: None  
ABSTAIN: None

**2. Communication**

E-Packets are available on line at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov)

Draft Transit Corridor Plan is available on line at [www.planbruno.org](http://www.planbruno.org)

**3. Public Comment - None**

**4. Announcement of Conflict of Interest**

**5. Public Hearings**

**A. 300 Piedmont Avenue**

**Request for a Conditional Use Permit to operate a religious facility in the Single Family Residential zoning district per Section 12.96.060.C.1 of the San Bruno Municipal Code. Central Peninsula Church (Applicant) San Mateo Union High School District (Owner) UP 11-012.**

*Associate Planner Russell:* Entered staff report and recommended that the Planning Commission add a Finding of Fact confirming that the Negative Declaration was prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines.

Staff recommends that the Planning Commission certify the Negative Declaration and approve Use Permit 11-012 based on Findings of Fact (1-4) and Conditions of Approval (1-8).

*Chair Petersen* asked Commission if there were any questions for staff.

*Commissioner Marshall:* Was the parking and traffic study done during soccer season?

*Associate Planner Russell:* The study was done during a soccer tournament in August.

Chair Petersen asked that the public remain quiet during the discussion.

*Commissioner Marshall:* I have been to this school several times during soccer season and have noticed that parking lot 1 and the side street entering parking lot 1 is fully parked. I am concerned with the results of the parking survey. I would like to request that the basketball court be used as mandatory parking, not as an overflow lot for the church. The parking area should include signs that indicate the basketball court is for church parking only.

*Associate Planner Russell:* I feel that is a reasonable recommendation. We did receive one comment from a neighbor about the use of the basketball courts; however, he did not object to the church using it for parking during their services.

*Commissioner Marshall:* Can the tennis courts be used for parking?

*Associate Planner Russell:* From my understanding, the [San Mateo Union High School] District uses that space for their parking and storage facility.

Public Comment Opened.

*Robert Hall; Applicant:* CPC is about a 43 year old church that is based in Foster City. For the last three years we have been operating a secondary service at Mills High School for our members who wish not to commute as far. Unfortunately, this location is temporary due to the planned construction at the High School. We look forward to serving the San Bruno Community. I am available for any questions.

*Michael Angelich; Neighbor at 321 Courtland Drive:* I have an issue with the current traffic and parking conditions. I believe that the parking study for this project is incorrect. People drive way too fast on this street and make our neighborhood dangerous for children and seniors. I have spoken to the Police Department and they express no concern for the public safety. I am here tonight to make the City Attorney aware of the situation so that when something happens to someone up there and the City does nothing about it, you will be held liable. I agree with Commissioner Marshall when he stated that the parking lots are already overflowed. I also thought that the church was required to put up new basketball nets as a condition of approval.

*Novella Jefferson; Neighbor at 360 Courtland Drive:* I have a concern with the current parking condition. There is currently nowhere for the homeowners to park on the street and it is even difficult for us to pull in and out of our own driveways. The students from the school park on our streets, soccer parents and all other activities that occur at this school use the residential streets for parking. Not to mention the overflow from the apartment complex and the Chinese Church parking on the streets.

*Chair Petersen:* I do not live in the area so I don't experience it the way you do. Do you know why other residents in the area did not come to the meeting tonight and voice their opinions?

*Novella Jefferson; Neighbor:* I spoke with many of the residents in my area and even though they were unable to make it here tonight due to other circumstances, they are also against the current parking situation and adding more problems with the proposed project.

*Andrew Wu; Pastor at San Bruno Chinese Church:* I understand the concerns of the residents. I am in favor of the CPC Church and the proposed location. I would like to reflect back on the September 9, 2010 gas-pipeline explosion here in San Bruno. Our church was one of the first and many that opened its doors and lent a hand to those in need. We provided many services such as; food, shelter, blankets, clothing and counseling services to those who were so desperately in need of help during the disaster. I think it would be a great addition to the city to have another church facility and I welcome them to the area. I feel that the residents concerns are valid and would hope that the complaints about parking and traffic are not directed at the churches.

Public Comment Closed.

*Commissioner Marshall:* I am not against churches in residential neighborhoods at all; however, I understand the residents concerns on traffic, parking and safety. I would like to recommend a revision to Condition of Approval #6 to read: The parking management strategy shall prohibit parking in parking lot 1, adjacent to the athletic fields. I would also like to recommend a revision to Condition of Approval #8 to read: At all times the applicant shall direct church members to use the basketball courts for parking.

*Commissioner Marshall:* There is also another parking lot on this campus that is not indicated on the map in the staff report. This lot is located fairly close to the location of the church services and should be looked into, maybe for staff parking. Since the church is moving into the area they should be the ones inconvenienced with the farther parking, not the other way around.

*Commissioner Chase:* I would like to thank staff for the thorough staff report. I have coached sports at this location for many years and I have experienced the parking and traffic. The parking lots are not always full because most of the vehicles are parking on the side of the road next to the field. I agree with the rewording of the two conditions of approval by Commissioner Marshall. I feel the neighborhood can handle the increased church traffic and develop a good relationship with each other and work together on providing a safe neighborhood.

A member of the public spoke out of context.

Chair Petersen re-opened public comment.

*Novella Jefferson; Neighbor:* The parking lots are packed every weekend. Why are the people parking on Courtland Drive? There should be someone on the street directing cars to the parking lot because everybody parks on the streets.

*Commissioner Chase:* I cannot address what another individual is thinking or their actions.

*City Attorney Zafferano:* I appreciate the Commission allowing the public to come back up and comment on the discussion; however, I would like to state that this is a public hearing and not a debate. With that said, once the public has made their comments the Commission may respond. There will not be a back and forth cross-examination.

*Chair Petersen:* Thank you Mrs. Jefferson, I think your position has been well stated.

*Commissioner Biasotti:* Aaron Akin, do you have any information on the apartment complex on Whitman that is being remodeled? Is there a time frame for when that project will be wrapped up?

*CD Director Akin:* Laura Russell may know the details on that project. The project should take a little over a year to complete. They are remodeling the interior and exterior of the building.

*Commissioner Biasotti:* So the parking impact from the apartment complex is temporary and will shortly be resolved.

*CD Director Akin:* Yes.

*Commissioner Biasotti:* What is the population of the church? How many members will be visiting San Bruno?

*Charlie Royce; Applicant:* We have about 340 adults and 60 children that attend this church.

*Commissioner Biasotti:* There is another entrance to this site on Piedmont Avenue, maybe you can ask your congregation to access the church from that entrance.

*Chair Petersen:* I would like to remind the Commissioners that it is possible to continue this item rather than vote on it tonight. It sounds like there is a lot of technical homework that needs to be done between staff and the church to resolve the parking issue and possibly address some of the traffic issues.

*Commissioner Chase:* Realistically, do all the members of the church attend the services every Sunday?

*Robert Hall; Applicant:* We are meeting temporarily at the Skyline College Theater and this last Sunday we had 303 members, which includes children. Our attendance varies.

*Commissioner Chase:* I can assume that many of the members are spouses and share one car along with the children. It would make sense to say that there will not be 340 new cars on this site but more like 100-150 cars.

*Commissioner Marshall:* What is the maximum capacity of the church?

*Robert Hall; Applicant:* 390 people can fit at this location. I would also like to mention that our church staff will be wearing orange vests and be on site during every service to direct traffic and parking locations. We will be sure to address the parking and traffic concerns with our members through our website, emails, newsletters, and all other communications.

*Commissioner Johnson:* I recall this same situation when the Chinese Church was present for their application. I feel that the church is willing to make things work. I recognize and appreciate the issues that were discussed from the residents. I have personally observed how CPC conducts their parking and I can validate that they do have staff directing parking. There is an opportunity to work out this situation, which may require more staff direction.

*Chair Petersen:* I would like to ask the Community Development Director if he has any comments or suggestions at this time?

*CD Director Akin:* I think most of the issues that are coming out tonight are not really church related but current and on-going issues. It is difficult to resolve an existing issue on a current application. All together, there are about 350 parking spaces on this site, so there is plenty of space available. I do feel that Commissioner Marshall's idea about making the basketball courts required for church parking is something that we need to do. I would like to add that staff would continue working with the church on the parking management. The positive side of having this application on the table is it brings attention to the issues of the current parking and traffic situation, which are issues that should be brought to our Traffic and Safety Committee. We should bring this concern up to them and see if there is anything that can be done to address the concerns in the neighborhood.

*Chair Petersen:* My assumption would be that the parking on the street happens because it is more convenient, so the only way to eliminate that issue would be to issue local parking permits.

*CD Director Akin:* Correct. Anything the church does could not solve that problem.

*Commissioner Biasotti:* I had the opportunity to read the entire parking study and I feel that it is very consistent. I would like to see the Commission approve this application and ask that staff continue to work with the applicant on the parking management strategy.

*Commissioner Mishra:* The parking and traffic issues are not something that we can solve at the Planning Commission level. The application we have here in front of us tonight is accurate and complete. Commissioner Marshall's revisions to conditions of approval 6 and 8, actually resolve the issue for parking for this application. There is a large issue at hand that city staff needs to deal with and should not have any affect on the proposed application.

Commissioner Mishra made a motion to approve Use permit 11-011.

*Chair Petersen:* Do we need to make a motion for the negative declaration first?

*CD Director Akin:* Correct.

**Motion to certify the Negative Declaration**

**Commissioner Chase/ Johnson**

VOTE: 7-0

AYES: All Commissioners Present.

NOES: None  
ABSTAIN: None

**Chair Petersen advised of a 10-day appeal period**

*Commissioner Marshall:* I would like to restate the revised conditions of approval. Condition of Approval #6 shall read: The parking management strategy shall prohibit parking in parking lot 1, adjacent to the athletic fields. Condition of Approval #8 shall read: At all times the applicant shall direct church members to use the basketball courts for parking.

*Commissioner Biasotti:* Can we add that the church members use the Piedmont entrance?

*Commissioner Marshall:* Sure, we can include that in condition #6.

*City Attorney Zaffereno:* I think we should ask the applicants if they agree with the revised conditions prior to a vote.

Chair Petersen asked the applicants if they agree with the revised conditions.

*Robert Hall; Applicant:* Yes, we agree.

*Commissioner Johnson:* In the case that there are not any athletic events occurring on site, is the applicant allowed to park in lot 1?

*CD Director Akin:* I would say no. The use of the basketball courts and parking lots 2-3 should be used at all times by the church.

**Motion to approve Use Permit 11-012 based on Findings of Fact (1-4) and Conditions of Approval (1-8). With revised conditions 6 & 8.**

**Commissioner Marshall/ Mishra**

VOTE: 7-0  
AYES: All Commissioners Present.  
NOES: None  
ABSTAIN: None

**Chair Petersen advised of a 10-day appeal period**

**FINDINGS OF FACT**

1. The Negative Declaration was prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines.
2. The proposed use will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the person residing or working in the neighborhood or such proposed use.
3. The proposed use will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.



4. The proposed use will be consistent with the general plan.

### **CONDITIONS OF APPROVAL**

#### **Community Development Department – (650) 616-7074**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 11-012 shall not be valid for any purpose. Use Permit 11-012 shall expire one (1) year from the date of Planning Commission approval unless the operation commences prior to the one (1) year date.
2. The request for a Use Permit to operate a religious facility shall be operated according to plans and operational statement approved by the Planning Commission on September 20, 2011, labeled Exhibit C except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. Prior to operation, the applicant shall obtain any Fire Code or Building Permits required by the Fire Marshall or Building Official.
4. The applicant and any successor in interest, shall agree to operate the religious facility at 300 Piedmont Avenue in the manner as described in the staff report and in the applicant's support statement. Any deviation or change in activities shall require prior authorization by the Community Development Director and may require full Planning Commission review. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.
5. The applicant shall establish a parking management strategy to the satisfaction of the Community Development Director. The strategy shall include a regular method for outreach to members about the parking requirements and traffic safety, such as the church newsletter or email outreach. Church members shall be encouraged to use both Piedmont Avenue and Courtland Drive to exit the site.
6. The parking management strategy shall prohibit parking in parking lot 1, adjacent to the athletic fields. (This parking lot shall be reserved for people using the athletic fields.) Church parking shall be allowed in parking lots 2 and 3. (Parking lots are numbered in Exhibit A to the staff report.)
7. The parking management strategy shall prohibit parking on the street or within the neighborhood.
8. At all times the applicant shall direct church members to use the basketball courts for parking. The applicant shall provide a parking attendant and signage for parking.

#### **B. Skycrest Village Ordinance Amendment**

**Request that the City Council adopt an Ordinance amending the Skycrest Development Agreement to provide for its conditional termination and authorize the City Manager to assign the Affordable Housing Agreement and Improvement Agreement from Skycrest Partners, LP to D.R. Horton Bay, Inc. Skycrest Partners, LP (owner), D.R. Horton Bay, Inc (applicant)**

*Acting Planning Manager Costa Sanders:* Entered staff report.

Staff recommends the Planning Commission adopt Resolution 2011-01 recommending the City Council adopt an Ordinance amending the Skycrest Development Agreement to provide for its conditional termination and authorize the City Manager to assign the Affordable Housing Agreement and Improvement Agreement from Skycrest Partners, LP to D.R. Horton Bay, Inc.

*Chair Petersen* asked Commission if there were any questions for staff.

*CD Director Akin:* I think the exciting thing about this application is that we have another nation-wide developer interested in developing here in San Bruno.

Public Comment Opened.

*Bruce Russell; Applicant:* I don't have anything to add; I feel the staff report has covered it. Skycrest Partners has done everything we said we would such as taking care of Lunardi's, building twelve homes, we took care of the medians on San Bruno Avenue, and the only thing left on the agreement is to build twelve more houses. At this point, large developers are in better standing in this economy than us smaller companies, which is why we have considered selling our development to DR Horton.

*Commissioner Chase:* I would like to thank you for all your effort and you have fulfilled your obligations.

Public Comment Closed.

**Motion to Motion to adopt Resolution 2011-01 recommending the City Council adopt an Ordinance amending the Skycrest Development Agreement to provide for its conditional termination and authorize the City Manager to assign the Affordable Housing Agreement and Improvement Agreement from Skycrest Partners, LP to D.R. Horton Bay, Inc.**

Commissioner Chase/ Biasotti

ROLL CALL VOTE: 7-0

AYES: Commissioners Sammut, Biasotti, Chase, Marshall, Johnson, Mishra, and Chair Petersen.

NOES: None

ABSTAIN: None

## 6. Discussion

- A. City Staff Discussion:** Commissioners Sammut, Biasotti, and Marshall volunteered for the October 13, 2011 Architectural Review Committee meeting. Commissioners Petersen, Chase, and Marshall volunteered for the October 4, 2011 Special Architectural Review Committee meeting.

CD Director Akin: Glenview/Crestmoor Update. As you know there were thirty-eight homes destroyed in the fire. We have issued eight building permits for the complete rebuild homes thus far. We also have about five other applications in the building review stage as well as a couple of applications in the planning review stage. There are now a total of twelve homeowners that are actively working with planning staff and moving forward. We had a ceremony at 11:00 a.m. this morning to fill in the hole. We anticipate within three weeks the street should open up for residents to drive from Claremont through Glenview. There will be a lot more outreach to the residents to see what they would like to see as far as street design, Crestmoor Canyon, as well as the park.

CD Director Akin: In regards to larger projects:

- The applicant for Treetops has stated that they will be pulling their building permit in October. The first stage of construction will be a lot of the utility work such as, new water lines, new sewer lines, and new roadways. It should be about a fourteen-month construction timeline and we should be seeing some progress within the next month or so.

- The Cedar Mills project at 599 Cedar Avenue has begun removing trees at the site and has submitted plans for building permits.

CD Director Akin: Shauna will distribute the Zoning Code Sustainability Audit. We will have a joint study session on September 27, 2011 at the Senior Center. This will get us started on the Zoning Code Amendment that has been delayed for a little over a year. Lastly, the Transit Corridor Plan EIR should be released within the next couple of months.

Commissioner Chase: Will the meeting on September 27 be before the scheduled City Council meeting?

CD Director Akin: Yes, at 6:00 p.m.

Commission Sammut: The Treetops project is starting at the peak of the rainy season. How will that affect the demolition of the current structures?

CD Director Akin: They will most likely find more water damage issues and have to remove some of the damaged studs.

Acting Planning Manager Costa Sanders: They will be constructing two buildings at a time and work their way around the entire site.

## **B. Planning Commission Discussion:**

Commissioner Mishra: On agenda item 5.A. we identified some action items. Can we be updated on the status of those?

CD Director Akin: Sure, I will give project updates during the City Staff Discussion.

Commissioner Johnson: I would like to acknowledge staff of the wonderful job you have been doing. I know that times are hard for many of us with the budget cuts and other issues that have come up in the past couple of years.

Commissioner Chase: I would like to reiterate what Commissioner Johnson said. I feel the staff reports are excellent and very thorough.

## **7. Adjournment**

Meeting was adjourned at 8:19 pm

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**Aaron Akin**  
Secretary to the Planning Commission  
City of San Bruno

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**Perry Petersen**, Chair  
Planning Commission  
City of San Bruno

**NEXT MEETING: October 18, 2011**



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**STAFF**

Aaron Akin, AICP, *Community Development Director*  
Mark Sullivan, AICP, *Housing and Redevelopment Manager*  
Lisa Costa Sanders, *Acting Planning Manager*  
Laura Russell, AICP *Associate Planner*  
Matt Neuebaumer, *Assistant Planner*  
Tony Rozzi, *Contract Associate Planner*  
Pamela Thompson, *City Attorney*

**PLANNING COMMISSION**

Perry Petersen, *Chair*  
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Bob Marshall, Jr.  
Rick Biasotti  
Mary Lou Johnson  
Kevin Chase  
Sujendra Mishra

**PLANNING COMMISSION  
STAFF REPORT  
AGENDA ITEM NO. 5.A  
December 6, 2011**

**PROJECT LOCATION**

1. Address: 588 San Mateo Avenue
2. Assessor's Parcel No: 020-142-200
3. Zoning District: C-B-D Central Business District
4. General Plan Classification: Central Business District

**EXHIBITS**

- A:** Site Location  
**B:** Photos  
**C:** Floor Plan  
**D:** Applicant Statement  
**E:** Parking Details

**REQUEST**

Request for a Use Permit and Parking Exception to allow a dance studio within the C-B-D Central Business Zoning District per Chapters 12.96.120.C.7 and 12.100.120, of the San Bruno Zoning Ordinance. Yenis Cotua (Applicant), Artur & Hilda Basmajian (Property Owner) **UP-11-013 & PE-11-001**

**RECOMMENDATION**

Staff recommends that the Planning Commission approve Use Permit 11-013 and Parking Exception 11-001 based on Findings of Fact (1-5) and Conditions of Approval (1-9).

**REVIEWING AGENCIES**

Community Development Department  
Public Services Department

**AREA DESCRIPTION**

North: Angus Avenue West – R-2 Zone (Low Density Residential)  
South: Sylvan Avenue – C-B-D Zone (Central Business District)  
East: Mastick Avenue – R-2 Zone, (Low Density Residential District)  
West: Easton Avenue – R-2 and C-B-D Zone, (Low Density Residential & Central Business District)

### **LEGAL NOTICE**

1. Notices of public hearing mailed to owners of property within 300 feet on November 23 2011.
2. Advertisement published in the *San Mateo Daily Journal*, Saturday, November 26, 2011.

### **ENVIRONMENTAL ASSESSMENT**

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Existing Facilities.

### **EXISTING CONDITIONS**

The subject property is located on the east side of San Mateo Avenue in Downtown San Bruno. It is the second storefront south of Angus Avenue. The subject site is 2,500 square feet and was previously developed with a 1,201 square foot building. The original building was previously occupied by a grocery store/specialty restaurant. This building was demolished in 2005 and a new 1,862 square foot commercial building was constructed in its place. The building consists of a tile base, a black anodized storefront, and a decorative parapet along the front elevation. The new commercial building recently passed all City inspections in early 2011.

### **PUBLIC COMMENTS**

Staff mailed the 300' notification on November 23, 2011. No comments have been received as of the writing of this report.

### **PROJECT DESCRIPTION**

The applicant is proposing to locate a dance studio at the subject site, which is a conditional use within the C-B-D zoning district. The dance studio will offer a variety of classes ranging from yoga, physical improvement courses, folklore, jazz, and zumba dance classes. The hours of operation and the specific classes offered will vary on a day-to-day basis. Generally, dance classes will be offered between the hours of 12:00 pm – 9:00 pm Monday through Friday. Saturday dance classes will be offered between the hours of 9:00 am – 5:00 pm, and Sunday dance classes will be offered between the hours of 9:00 am – 3:00 pm. A complete schedule of dance classes offered is included within the applicant's operational statement attached as Exhibit D.

Staff recently approved a Temporary Use Permit to allow the dance studio to operate at the subject site on a temporary basis. The Temporary Use Permit was approved on November 2, 2011 and is valid for a period of 90 days. The applicant is currently in the process of installing a new flooring system and a series of mirrors on the wall. The applicant plans to conduct dance classes once the improvements to the site are complete.

### **ANAYLSIS AND RECOMMENDATION**

The applicant is proposing to locate a dance studio at the subject site, which requires Conditional Use Permit and Parking Exception approval. Regarding the Conditional Use Permit, staff finds that the dance studio will be a positive addition to the downtown environment. Classes offered throughout the day and into the evening hours will create greater foot traffic along San Mateo Avenue, which will benefit the surrounding retail and restaurant establishments. Additionally, the applicant is proposing to incorporate a retail component by displaying product lines associated with the dancing industry at the subject site. On-line ordering of various dancing products will be offered as well. The retail component of the business will create an inviting storefront, which is important in any downtown environment.



Regarding parking, the proposed dance studio requires more parking than the previous grocery store/specialty restaurant. As previously stated, the site was formally developed with a 1,201 square foot commercial building. The previous grocery store/specialty restaurant required 9 parking spaces (1 space per 150 square feet of floor area.) The original 1,201 square foot building was demolished in 2005 and was replaced with a 1,862 square foot structure. The proposed dance studio would require 10 parking spaces (1 space per 200 square feet of floor area.) This results in a net difference of 1 parking space.

Use	Square Feet	Parking Ratio	Total Required Parking
Grocery Store/Specialty Restaurant	1,201	1/150 gross floor area	9 Parking Spaces
Dance Studio	1,862	1/200 gross floor area	10 Parking Spaces
<b>Net Increase</b>			<b>1 Parking Space</b>

Staff recently conducted a parking study for three parking lots located in downtown San Bruno. The three parking lots are in close proximity to the subject site. The parking study was conducted on weekdays during lunch and dinner hours in 2010. The surveyed parking area included a total of 185 parking spaces.

The parking study revealed that the City owned parking lots were under utilized. The overall trends of the parking study indicated that there is enough parking to accommodate the proposed dance studio. When combining the overall parking study area the occupancy rate was 56% during weekday lunch hours and 43% during weekday dinner hours. The data represents an occupancy rate that is less than the 85% threshold that staff considers when determining if an area is parking impacted in the downtown area. Therefore, staff finds that the parking needs for the proposed dance studio will be met and supports the parking exception. The following table represents the overall occupancy rate for all lots analyzed during weekday lunch and dinner hours.

Lot	Location	# Of Available Spaces	Overall Occupancy Rate
Lot 4	NW Corner of Mastick Ave. and Sylvan Ave.	101	50%
Lot 5	West side of Mastick Ave.	46	71%
Lot 6	South side Angus Ave. W	38	33%
Total		185	52%

(Detailed parking data with parking counts are attached as Exhibit E).

### Findings:

*Pursuant to the City's Zoning Code, the Commission shall grant the Parking Ex if it makes the following findings (required findings are in **bold** followed by staff's analysis of the merits of the project and how the findings can be made):*

- 1. The proposed use will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the person residing or working in the neighborhood or such proposed use.**

The proposed dance studio will not be detrimental to the surrounding neighborhood because the dance studio will be compatible with the surrounding downtown environment. The surrounding downtown



environment consists of many retail storefronts, restaurants, and commercial recreation businesses. The proposed dance studio also plans on introducing a retail component to the business.

**2. The proposed use will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.**

San Mateo Avenue has many retail establishments, restaurant, and commercial recreation facilities. The dance studio is consistent with the existing uses. The applicant also proposes to introduce a retail component to the business. Additionally, the site is currently developed with a new commercial building that was recently completed in early 2011. The building consists of a tile base, a black anodized storefront, and a decorative parapet along the front elevation. The new building will benefit the proposed dance studio and the surrounding businesses along San Mateo Avenue.

**3. The proposed use will be consistent with the general plan.**

General Plan Guiding Policy ED-I encourages improving San Mateo Avenue as an appealing commercial street to conduct business. The site is currently developed with a new commercial building that was recently completed in early 2011. The building consists of a tile base, a black anodized storefront, and a decorative parapet along the front elevation. The new building will benefit the proposed dance studio and the surrounding businesses along San Mateo Avenue. Additionally, the applicant is introducing a retail component to the business.

**4. The strict application of the provisions of this chapter would cause particular difficulty or undue hardship in connection with the use and enjoyment of said property.**

It is physically infeasible to add additional parking at the subject site, given the current site layout. In order to meet the parking requirements, the existing structure would have to be significantly reduced in size. As such, a strict application of the Zoning Ordinance creates an undue hardship upon the existing applicant.

**5. That the establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this chapter as are reasonably possible.**

The Municipal Code requires 9 parking spaces for the previous grocery store/specialty restaurant use and 10 parking spaces for the proposed dance studio. The net increase associated with the change in building size and the use from a grocery store/specialty restaurant to a dance studio amounts to 1 parking space. As stated above, the current site layout eliminates the possibility to add on-site parking spaces. Given the constraints of the site, it is not reasonably possible to provide additional parking on site.

Staff conducted a parking study and finds that many of the surrounding City parking lots were underutilized and will support the proposed dance studio. The results of the parking survey are attached as Exhibit E.

## **RECOMMENDATION**

Staff recommends that the Planning Commission approve Use Permit 11-013 and Parking Exception 11-001 based on Findings of Fact (1-5) and Conditions of Approval (1-9).

## **FINDINGS OF FACT**

1. The proposed use will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the person residing or working in the neighborhood or such proposed use.
2. The proposed use will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.
3. The proposed use will be consistent with the general plan.
4. The strict application of the parking provisions would cause particular difficulty or undue hardship in connection with the use and enjoyment of said property.
5. That the establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this chapter as are reasonably possible.

## **CONDITIONS OF APPROVAL**

### **Community Development Department – (650) 616-7074**

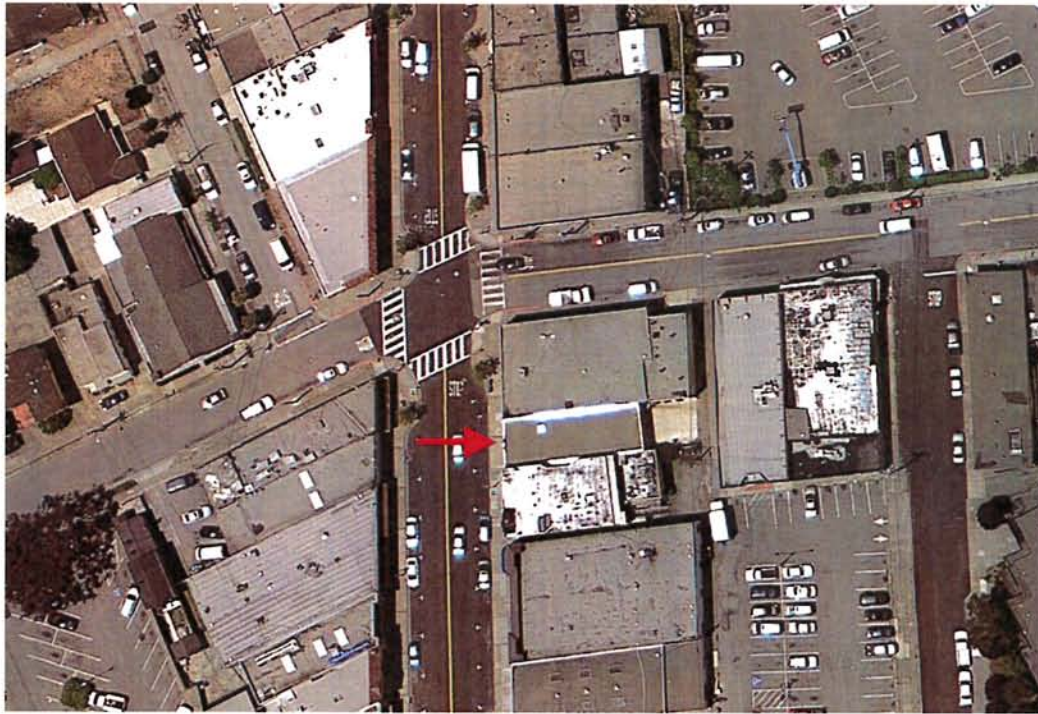
1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 11-013 and Parking Exception 11-001 shall not be valid for any purpose. Use Permit 11-013 and Parking Exception 11-001 shall expire one (1) year from the date of Planning Commission approval unless the operation commences prior to the one (1) year date.
2. The request for a Use Permit and Parking Exception to operate a dance studio shall be operated according to plans and operational statement approved by the Planning Commission on December 6, 2011, labeled Exhibits C and D except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. Prior to operation and final inspection, all pertinent conditions of approval and all improvements shall be complete to the satisfaction of the City of San Bruno.
4. The applicant shall apply for a business license through the Finance Department. Prior to business license approval the applicant shall apply for a business compliance permit.
5. The applicant and any successor in interest, shall agree to operate the dance at 588 San Mateo Avenue in the manner as described in the staff report and in the applicant's support statement. Any deviation or change in business activities shall require prior authorization by the Community



Development Director and may require full Planning Commission review. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.

6. The applicant or property owner will clean graffiti on the property and/or paint over it within 24 hours of its appearance, using a matching paint color. This condition also gives the City of San Bruno consent to have the graffiti painted out for the applicant. If the graffiti is not removed within 24 hours, the City's graffiti removal vendor will be instructed to remove the graffiti and provide a detailed accounting of the cost to the property owner, who will be responsible for reimbursing the City for the graffiti removal.
7. All trash and trash containers shall be stored within appropriate designated trash areas. Sufficient trash container capacity shall be provided to ensure that all trash and debris from the building can be stored within the trash container area and with completely closed lids. The trash enclosure shall be covered and shall comply with San Mateo Countywide Water Pollution Prevention Program best management practices and shall be submitted to Planning Division.
8. The property owner or business operator shall conduct regular maintenance of the site to maintain the premises and remove accumulation of litter and debris.
9. The applicant or any future employees shall not park in the surrounding residential area at any time. The applicant shall provide information to customers on appropriate public parking locations.

Date of Preparation: December 2, 2011  
Prepared By: Matt Neuebaumer, Assistant Planner



**588 San Mateo Avenue  
020-142-200  
UP 11-013 & PE 11-001**

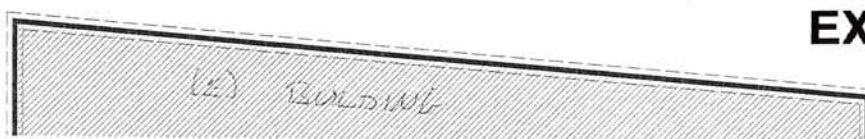
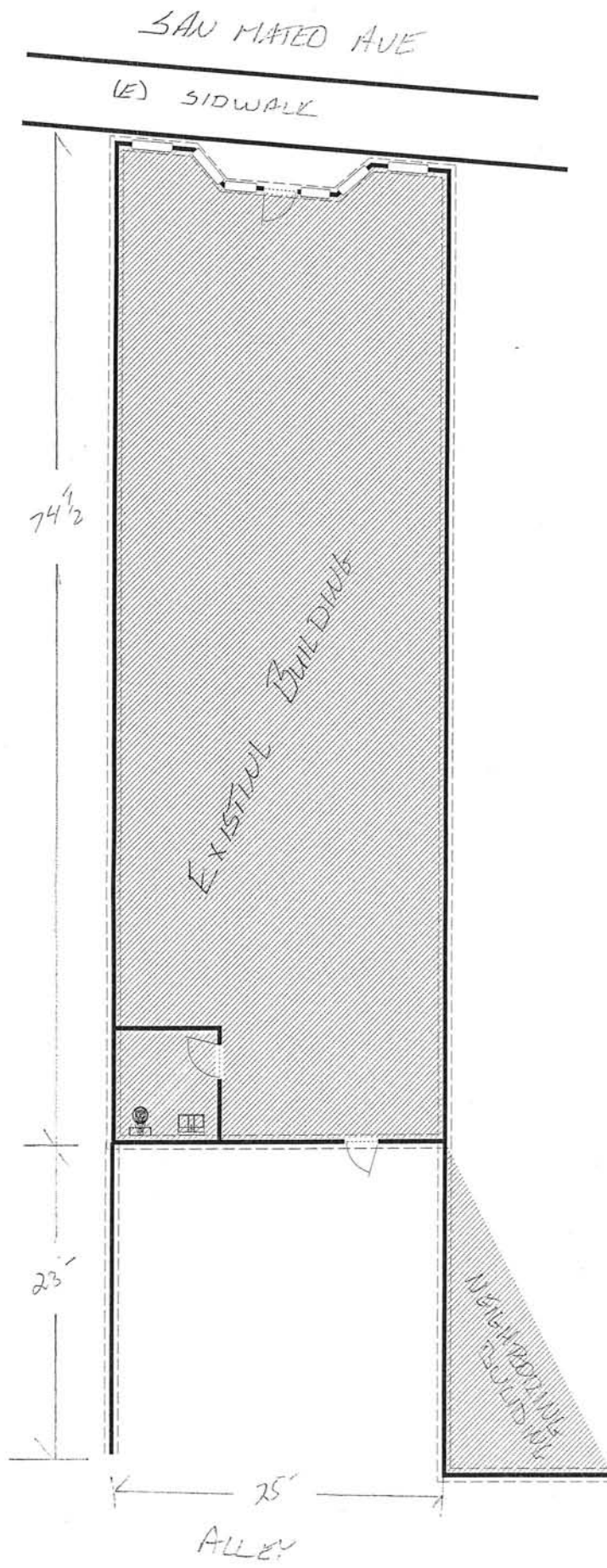
**Exhibit A – Site Location**



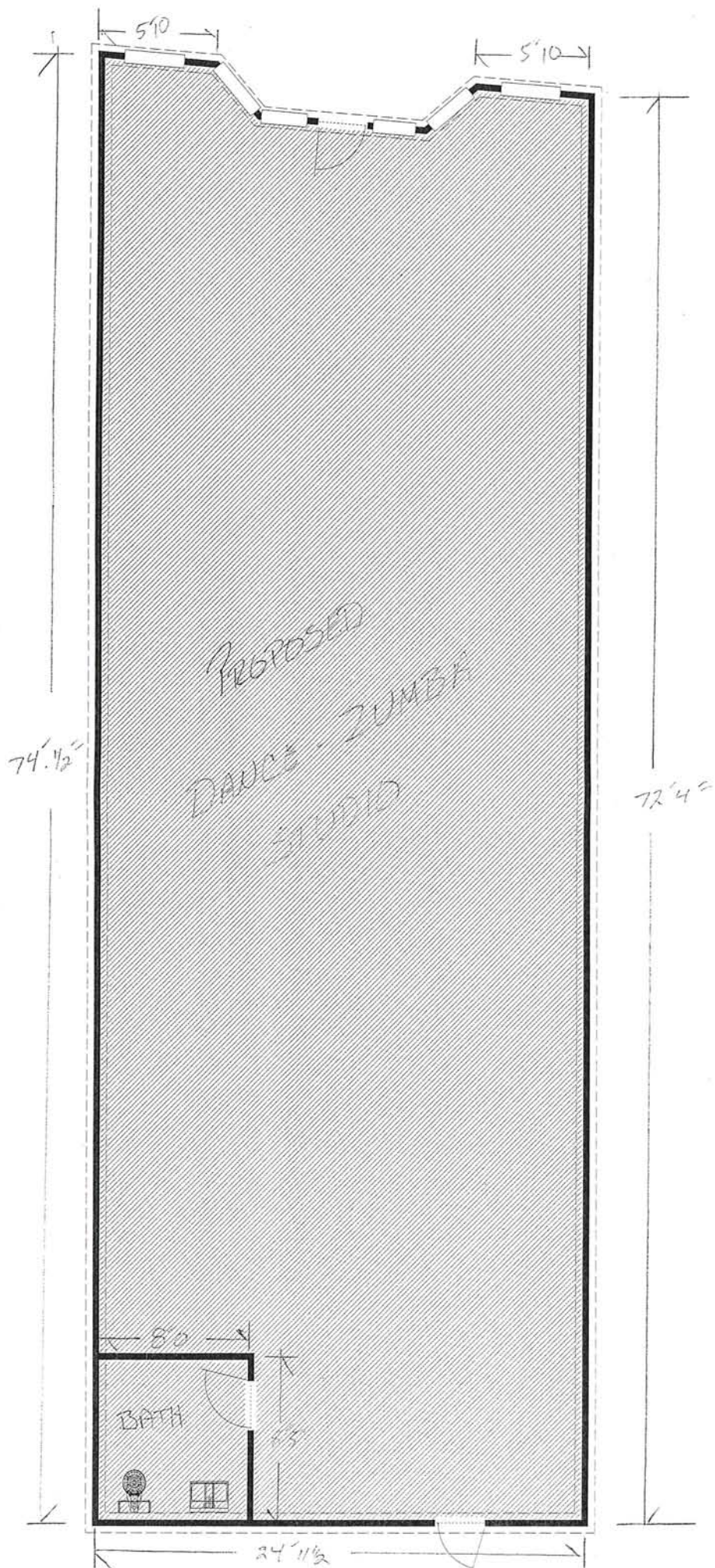
**Front Elevation**

**Exhibit B – Photographs**





**EXHIBIT C**





Yenis Cotua  
ADDRESS: 1145 Shelter Creek Ln San Bruno, CA 94066

Telephone: (650) 483-8246

October 28, 2011

The City of San Bruno  
Planning Department/Commission  
567 El Camino Real  
San Bruno, California 94066

Dear Planning Department:

As a long-time admirer of the City of San Bruno and your department work in favor of the community, I have particularly enjoyed the opportunity of serving over 250 students, who comprise the body of my dance students in and around San Bruno . As my following has grown, the time has come for me to open the doors to my own dance studio, and I would like to make San Bruno the home of my venture, which is not only a guaranteed success, but will attract countless more persons to San Bruno brining much needed money in trying times around the country.

At the direction of your city employees, I am writing this to disclose the nature and scope of my business as I apply for a permit to operate my dance studio on San Mateo Avenue in a totally new building which already meets the requirements of San Bruno for this type of venue. This correspondence outlines the complete scope of work San Bruno requests from a new business seeking to operate in the downtown area , including objectives, procedures, identification of responsibilities, and estimated fees.

#### OBJECTIVE

Offer dance classes and yoga classes and physical improvement courses for the general public of all ages, expectant mothers, recent mothers, those seeking to address weight and health issues through dance and exercise. We will feature Zumba classes and aside from myself another certified instructor will oversee these classes.

#### SCOPE OF SERVICES

##### 1. DANCE CLASSES

- a. We will have classes ongoing from 12:00 P.M. to 9:00 PM, Monday to Friday  
Saturday 9:00 AM to 5:00 PM and Sunday 9:00 AM to 3:00 PM
- b. We will provide referral and counseling as well as instruction to those seeking additional services

c. We will display product lines and make available on-line ordering of products to be used in our classes.

2. INSTRUCTORS AND STAFF

a. WE will have three instructors and three staff members to assist our clients

b. Our instructors are certified dance instructors and our staff is drawn from residents of San Bruno with customer service experience.

3. NAME, LOCATION, HOURS OF OPERATION

a. Our business name: YENIS DANCE, BODY & SOUL

b. Proposed business address: 558 San Mateo Avenue, San Bruno , CA

c. Hours of Operation: 12:00 PM to 9:00 PM Monday to Friday Saturday 9:00 AM to 5:00 PM and Sundays 9:00 AM to 3:00 PM

d. A Website and 24-hour number will be available to clients and general public.

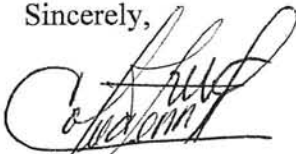
OBLIGATIONS & BENEFITS

We are committed to operating a successful venue in compliance with all city, state and federal mandates in full compliance and will bring new clients to the city, and revenue directly and indirectly to the benefit of the community and the clients we serve.

CLOSING

We appreciate the opportunity to open our business December 2, 2011 in San Bruno and are ready and willing to comply with any additional requests that may facilitate the approval of our permit to operate.

Sincerely,

A handwritten signature in black ink, appearing to read 'Yenis Cotua', written over a horizontal line.

Yenis Cotua  
Owner

# *Yenis Dance Body & Soul*

Located in 588 San Mateo Ave San Bruno, CA

## *Group Class Schedule*

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
12:00-1:00 pm CARDIO KICKBOXING		12:00-1:00 pm Cardio Kickboxing	12:00-1:00pm Strength Conditioning	12:00-1:00pm Cardio Kickboxing	9:00-10:00 am ZUMBA	9:00-10:00 am Stretch
3:00-4:00 pm International Folclor	3:00-4:00pm Jazz	3:00-4:00pm International Folclor	4:30-5:30 Mommy Zumba&me	3:00-4:00pm International folclor	11:00 -12:00 Mommy Zumba&me	10:30 11:30 Down Abs
5:00-6:00 pm Zumba	5:00-6:00pm Zumba	5:00-6:00pm Zumba			3:00-4:00pm Jazz	2:00-3:00pm jazz
6:00-7:00 Zumba	6:00-7:00pm Zumba	6:00-7:00pm Zumba	6:00-7:00pm Zumba	6:00-7:00p.m Zumba	4:00-5:00pm International Folclor	
7:00-8:00pm Zumba	7:00-8:00pm Zumba	7:00-8:00pm Zumba	7:00-8:00pm Zumba	7:00-8:00pm Zumba		
8:00-9:00 pm Stretch		8:00-9:00 pm Stretch		8:00-9:00pm Stretch		



Parking Inventory By Lot						
Day	Parking Lot	Time Limt	Parking Supply (# of Spaces)	Occupied Spaces	Vacant Spaces	Occupancy Rate
Thursday	Lot 4	5hr (8am-6pm)	101	59	42	58%
Thursday	Lot 4	5hr (8am-6pm)	101	47	54	47%
Thursday	Lot 4	5hr (8am-6pm)	101	44	57	44%
			303	150	153	50%
Thursday	Lot 5	5hr (8am-6pm)	46	37	9	80%
Thursday	Lot 5	5hr (8am-6pm)	46	22	24	48%
Thursday	Lot 5	5hr (8am-6pm)	46	39	7	85%
			138	98	40	71%
Thursday	Lot 6	5hr (8am-6pm)	38	17	21	45%
Thursday	Lot 6	5hr (8am-6pm)	38	11	27	29%
Thursday	Lot 6	5hr (8am-6pm)	38	10	28	26%
			114	38	76	33%

Weekday Lunch - Data Collected at 12:30 PM							
Date	Day	Parking Lot	Time Limit	Parking Supply (# of Spaces)	Occupied Spaces	Vacant Spaces	Occupancy Rate
4-Mar-10	Thursday	Lot 4	5hr (8am-6pm)	101	59	42	58%
5-Mar-10	Friday	Lot 4	5hr (8am-6pm)	101	44	57	44%
4-Mar-10	Thursday	Lot 5	5hr (8am-6pm)	46	37	9	80%
5-Mar-10	Friday	Lot 5	5hr (8am-6pm)	46	39	7	85%
4-Mar-10	Thursday	Lot 6	5hr (8am-6pm)	38	17	21	45%
5-Mar-10	Friday	Lot 6	5hr (8am-6pm)	38	10	28	26%
				370	206	164	56%
Weekday Dinner - Data Collected at 7:00 PM							
4-Mar-10	Thursday	Lot 4	5hr (8am-6pm)	101	47	54	47%
4-Mar-10	Thursday	Lot 5	5hr (8am-6pm)	46	22	24	48%
4-Mar-10	Thursday	Lot 6	5hr (8am-6pm)	38	11	27	29%
			Total	185	80	105	43%